



Rocky Flats Citizens Advisory Board
Meeting Minutes
October 4, 2001
6 to 9:30 p.m.

Jefferson County Airport Terminal Building,
11755 Airport Way, Broomfield

FACILITATOR: Reed Hodgins

Jerry DePoorter, the Board's chair, called the meeting to order at 6:05 p.m.

BOARD / EX-OFFICIO MEMBERS PRESENT: Suzanne Allen, Jerry DePoorter, Joe Downey, Jeff Eggleston, Tom Gallegos, Shirley Garcia, Victor Holm, Jim Kinsinger, Bill Kossack, Tom Marshall, Mary Mattson, Nancy Peters, Earl Sorrels / Joe Legare

BOARD / EX-OFFICIO MEMBERS ABSENT: Jeff Allen, Robin Byrnes, Maureen Eldredge, LeRoy Moore / Steve Gunderson, Jeremy Karpatkin, Tim Rehder

PUBLIC / OBSERVERS PRESENT: Roman Kohler (RF Homesteaders); Mark Sattelberg (USFWS); Joel Colvin (citizen); Jenelle Courtney (citizen); Alan Trenary (citizen); Melissa Anderson (RFCLoG); Louise Janson (citizen); Jason Shaw (RFETS); Anna Martinez (DOE-RFFO); Kathleen Rutherford (CDPHE); Greg Jarvis (citizen); Jerry Henderson (RFCAB staff); Ken Korkia (RFCAB staff); Michelle Kump (RFCAB staff); Deb Thompson (RFCAB staff)

PUBLIC COMMENT PERIOD:

Comment: Alan Trenary: Many changes have happened over the past month. The U.S. Fish and Wildlife Service is becoming closer to being the stewards of the land at Rocky Flats, and the incidents with the terrorists in September — both those things will change the future of everything.

APPROVE 2002 WORK PLAN AND BUDGET: The Board approved its 2002 work plan and the corresponding budget for that work. The main focus of next year's work will be on end-state discussions, including surface water, surface soil contamination, sub-surface soil contamination, groundwater, and long-term stewardship issues. To coordinate these discussions, the Board will establish an End-State Discussion Steering Committee, which will develop a proposal for Board discussion, oversee the preparation and conduct of discussions, and help coordinate the activities of other Board committees involved in end-state issues. Those committees include the Environmental Restoration Committee, the Actinide Migration Evaluation Technical Review Group, and the joint Stewardship Working Group. In addition, the Board in 2002 will focus on ongoing review activities such as Kaiser-Hill contract performance monitoring, on-site worker safety, D&D planning and conduct, waste and special nuclear materials packaging and shipping, natural resource management issues, and new regulations. RFCAB also will reactivate its ad hoc Outreach Committee to address public awareness and involvement in Rocky Flats issues. The Board will continue to serve as a pass-through agent for the ComRad program again in 2002, and will remain involved in activities of the Environmental Management Site Specific Advisory Board

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(EMSSAB). Its administrative committees (Executive, Membership, and Personnel) all have goals for the next year as well. The Board's proposed budget for 2002 is \$536,933, of which \$150,000 is devoted solely to the ComRad Program and \$386,933 is budgeted for RFCAB activities.

RSAL DISCUSSION ROUND ROBIN: The goal for this portion of the meeting was to give Board members an opportunity to communicate with each other on key policy questions. The Environmental Restoration Committee proposed that the Board have a focused, round robin discussion on RSAL issues. Specifically, the committee recommended three key questions to help focus the discussion and identify commonality among Board member views. For the first part of the meeting, RFCAB members were asked to speak to these questions. Following are summaries of the comments made by the Board during this part of the discussion.

Part One, Technical Issues: Can you accept the technical work done by the RSAL Working Group? If not, why not? What would it take to win your acceptance?

- o The work is acceptable, although we may not agree with all the findings.
- o It may be premature to judge the group's work prior to release of the Task 3 Report.
- o It's important to use the most conservative approach to modeling choices.
- o The working group has done a good job with the limited data they have.
- o These are the best numbers based on current information. Conservatism has been built in. The numbers are regulatorily based and sound. The data is scientifically defensible but limited.
- o We are working with a limited set of data, then putting that data into a model with its own limitations. Thus, we must be conservative in how we use the results.

Part Two, Policy Issues: What risk level do you think is acceptable for future users of the site, and why? Do you have any advice for the RFCA principals on how they should go about selecting a risk level as the basis for the RSAL? What is the appropriate scenario to use as the basis for the RSAL, and why?

- o The RFCA Principals need to justify and explain why 10^{-6} cannot be used if they choose another level.
- o Focus should be on the risk level achievable (10^{-6}), not the risk level acceptable.
- o We need the best cleanup possible, but funding is a consideration. We need to prioritize what we want. Law mandates the scenario and it will be the wildlife refuge worker. Also, they need to look at the environmental pathways that will affect offsite residents.
- o Picking the most conservative risk we can is the way to deal with modeling uncertainty. We must look to protect future generations and get the best risk reduction for the money.
- o The government needs to find more funds to produce the greatest cleanup possible.
- o Challenge DOE to say how they can cleanup to 10^{-6} or close to it. As for the scenarios, the government is not always farsighted, and an eventual resident is a foregone conclusion. DOE can walk away at the end, but contaminants will last a long time. People will end up living out there, so they must be conservative.
- o Look very closely at the effectiveness of institutional controls.
- o RFCAB should request "residential" as the scenario, with the eventual goal of cleanup to background.
- o It's important also to consider fiscal realities.
- o Perhaps the five-year review will allow eventual use of better data.
- o Must consider the relationship between cleanup and long-term stewardship. You can pay now, or pay even more later.

- o Rocky Flats is precedent setting; need to set best precedent possible.
- o Although the RSAL does not equal cleanup, the RSAL and actual cleanup are closely related.

PUBLIC COMMENT PERIOD:

Comment: Alan Trenary: There is a lot of trepidation about changed roles in the federal government, from DOE to the U.S. Fish and Wildlife Service. Often the involvement of the federal government bogs down the process, with a lot of dollars being spent and not a lot being accomplished. But when DOE says it's done, the State of Colorado and other agencies won't be there saying they are done too. Hopefully technologies will be applied in the future to help with cleanup. We need to apply as much effort as we can to see that the job is done well.

Comment: Louise Janson: I haven't heard anyone say anything about, or haven't read anything that takes into the consideration the mineral rights that some people own under the Rocky Flats site and in the buffer zone. That could turn everything upside down because Colorado state law would protect those mineral rights.

Response: Joe Legare: Regardless of the scenario chosen, there still are subsurface owners. DOE is subsurface owner in the industrial area; there are many others in the buffer zone. An analysis by DOE found that it fell below the levels expected for that anticipated land use.

Comment: Mark Sattelberg: The U.S. Fish and Wildlife Service agrees with you, and also wants to protect wildlife refuge workers with best possible cleanup. On a personal note, I would challenge industry and academia to come up with treatment and stabilization technology so that waste can be treated and help to make it more non-hazardous.

KEY POINTS FOR RSAL RECOMMENDATION: Next, the Board began to craft a recommendation based on the information gleaned in the round-robin discussion and on draft comments prepared by a few Board members prior to the meeting. The draft recommendation points are summarized below:

- o RFCAB appreciates the work done by the agencies in reviewing the RSALs. However, scientific knowledge, methods, and data used are limited by the level of knowledge and science that exists today. The results should be considered limited and used conservatively in establishing RSALs. The RSALs should be revisited in the future when better knowledge, methods, and data become available.
- o The RSAL should be set at the most protective end of the risk range (10^{-6}) in order to provide the highest-level protection to future users of the site. This level should be the point of departure for consideration of a cleanup level. If a cleanup to this level cannot be achieved, the cleanup should be as close to the 10^{-6} risk level as possible, with full justification given to the community for why the target cleanup cannot be achieved.
- o Conversion of Rocky Flats to a wildlife refuge is probable, and RFCAB acknowledges this scenario as the most likely in the foreseeable future. The resident scenario should be assumed for the period of time beyond the foreseeable future. The RSAL should provide protection both to the currently projected user (wildlife refuge worker) and to a possible future residential user.
- o The RSAL represents an initial level of cleanup. The ultimate goal for cleanup should be to background.
- o Rocky Flats should be regarded as a demonstration site for the development of technology

for cleaning sites contaminated with plutonium.

- o A legally binding document should state that after closure, periodic reviews (every five years or more frequently) should be conducted to assess reliability of any controls in place on the site, availability of new technology, and whether specific measures should be implemented to achieve better cleanup.

The full text of the points listed above were agreed to by the Board in a consensus vote. Staff will draft either a preamble and/or closing statements for the recommendation, which highlights additional points brought up by Board members, and then distribute the complete text of the recommendation to the Board via CABlist. After approval by the Board, the finalized recommendation will be presented to the RFCA Principals at their public meeting on RSALs scheduled for October 30.

FUNDS FOR REVIEW OF EPA RAGS CALCULATIONS: The Environmental Restoration Committee proposed that RFCAB fund an independent review of the agency's use of the standard EPA risk equations. The objective of this review is to provide the community with assurance that the equations have been used properly in the calculation of risk-based RSALs. A professional will perform the review with Excel spreadsheet proficiency and experience in statistics, using Crystal Ball statistical software. The Board agreed to fund this review, and if necessary to pay the cost for purchase of Crystal Ball software to aid the selected reviewer.

REQUEST FOR LEAVE OF ABSENCE: Board member Maureen Eldredge requested that the Board grant her a leave of absence through the end of the year for maternity reasons. The Board approved her request.

NEXT MEETING:

Date: November 1, 2001, 6 to 9:30 p.m.

Location: Jefferson County Airport Terminal Building, Mount
Evans Room, 11755 Airport Way, Broomfield

Agenda: Update by DNFSB; discussion of RSAL Working Group
Task 3 Report on RSALs; Report on RFCA Principals
Public Meeting; Board officer election

MEETING ADJOURNED AT 9:45 p.m. *

(* Taped transcript of full meeting is available in the RFCAB office.)

RESPECTFULLY SUBMITTED:

Jeffrey Eggleston, Secretary
Rocky Flats Citizens Advisory Board

The Rocky Flats Citizens Advisory Board is a community advisory group that reviews and provides recommendations on cleanup plans for Rocky Flats, a former nuclear weapons plant outside of Denver, Colorado.

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